



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
Office of Response and Restoration  
Silver Spring, Maryland 20910

[CERTIFIED MAIL #700005200016 RETURN RECEIPT REQUESTED]  
61778220

December 11, 2002

NRDA Process

Mr. Albert Shui  
Senior Vice President, South Atlantic Region  
Evergreen America Corporation  
210 Seven Farms Drive  
Charleston, S.C. 29492

Re: M/V EVER REACH Oil Spill, September 30, 2002  
Cooper River (Charleston), SC  
- Trustees' Invitation to Evergreen International, S.A. to Participate in  
Natural Resource Damage Assessment Process

Dear Mr. Shui:

This letter is submitted to Evergreen International, S.A., on behalf of the National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service acting on behalf of the U.S. Department of the Interior, the Office of the Governor of South Carolina, the South Carolina Department of Natural Resources, the South Carolina Department of Health and Environmental Control and the U. S. Navy, acting on behalf of the U.S. Department of Defense as the owner of the Old Navy Base facility in Charleston, S.C. (hereinafter, the federal and state agencies are collectively referred to as "the Trustees"). Each of these agencies is a designated natural resource trustee under Section 1006(b) of the Oil Pollution Act of 1990 ("OPA"), 33 U.S.C. 2706(b), and Section 311(f)(5) of the Federal Water Pollution Control Act, 33 U.S.C. 1321(f)(5), for natural resources actually or potentially affected by the M/V EVER REACH oil spill which occurred on or about September 30, 2002 in the Cooper River in South Carolina. Evergreen International, S.A., is officially designated as the party responsible for this spill.

Since the spill, the Trustees have been coordinating with each other as well as with representatives of Evergreen International to determine the appropriateness of pursuing restoration to address natural resource injuries (including resource services losses) attributable to the spill, in accordance with Subpart D of the 15 C.F.R. Part 990, the regulations which guide the natural resource damage assessment process under OPA. (Subpart D is 15 C.F.R. 990.40-990.45). Evergreen International and its assessment contractor, Polaris Applied Sciences, have greatly assisted the Trustees in this process to date. The Trustees understand that Evergreen International is interested in continuing its cooperation as the natural resource damage assessment process proceeds.

The Trustees acknowledge Evergreen International's cooperation to date and, following 15 C.F.R. 990.14(c), invite Evergreen International to participate in a cooperative natural

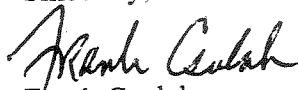


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resource damage assessment process for this spill. A written response to the Trustees confirming your desire to participate in this process is required.

Sincerely,



Frank Csulak

NOAA Injury Assessment Coordinator

cc:

Sean Houseal, Esq., Buist, Moore, Smythe & McGee, P.A.  
Gary S. Mauseth, Polaris Applied Sciences  
Diane Duncan, U.S. Fish & Wildlife Service  
Holly Deal, Esq., DOI Office of the Solicitor  
Stephanie Fluke, Esq., NOAA  
Ed Duncan, S.C. Department of Natural Resources  
James Quinn, Esq., S.C. Department of Natural Resources  
Sally Knowles, S.C. Department of Health and Environmental Control  
Hank Stallworth, Office of the Governor of South Carolina  
Dominic Broadus, U. S. Navy  
CDR Susan C. Stewart, JAGC, U. S. Navy